

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Confirmation No. 9834

Dieter Kress, et al.

Date: April 30, 2008

Serial No.: 10/601,818

Group Art Unit: 3722

Filed: June 23, 2003

Examiner: Michael Talbot

For: TOOL FOR THE METAL CUTTING MACHINING OF VALVE SEATS

VIA EFS-WEB

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Sir:

This is a response to the Notice of Non-Compliant Appeal Brief mailed March 31, 2008 in the above-identified application. The Notice indicates that the brief does not contain a statement of the status of all claims.

Enclosed is a new page 1 for the Appeal Brief, which replaces the original page 1 as filed on March 20, 2008. The section "III. Status of Claims" has been supplemented to state that claims 1, 13-15 and 19 have been canceled.

If this communication is filed after a shortened statutory time period has elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. §1.17 should be charged to our Deposit Account No. 15-0700.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

Respectfully submitted,

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
THROUGH THE PATENT AND
TRADEMARK OFFICE EFS FILING
SYSTEM ON April 30, 2008


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APPEAL BRIEF UNDER 37 C.F.R. §41.37

Sir:

This appeal is taken from the final action of June 20, 2007. In support of the Notice of Appeal filed December 20, 2007, the present Appeal Brief is presented.

I. Real Party in Interest

The real party in interest is the assignee, MAPAL Fabrik für Präzisionswerkzeuge Dr. Kress AG.

II. Related Appeals and Interferences

The Applicant, the assignee and the undersigned attorney are not aware of any related appeals and interferences.

III. Status of Claims

Claims 2-12, 16-18, and 20-25 are pending and on appeal herein. Claims 1, 13-15 and 19 have been cancelled.